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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/088,737	06/02/98	KOANA R	862.2339

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EXAMINER	
POON, K	
ART UNIT	**PAPER NUMBER**
2624	8

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/088,737	Ryuzo Koana et al.
Examiner	**Group Art Unit**
King Y. Poon	2624

☒ Responsive to communication(s) filed on *Aug 3, 2000*

☒ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1, 3-16, and 18-35* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1, 3-16, and 18-35* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-16, 18-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama.

Regarding claim 1: Kageyama discloses a client computer, a printer/spooler control server, and distributed printing manager server (fig. 5, column 14 line 51-58, data processing apparatus) having connection means (see the connection from 15 to 17, 18, and network 10 of fig. 1) for being connected to a plurality of printers (image output apparatus)(# 17, 18 of fig. 1), comprising: producing means (11 of fig. 4) for producing an image output job (7150, fig. 13); designating means (500 of fig. 5) for designating a received first selection condition data inputted by a user; (see logical print specification of column 16 line 54-65); selection means (521, 510, 500 and 522 of fig. 5) for selecting a connected selectable image output apparatus, (see adequate printer of column 16 line 54-65), which performs print output operation (print job) in accordance with a content of the image output job (see logical specification, column 25 line 1-5) and the selection condition data, from the plurality printers connected by the connection mean;

(see column 16 line 61-64); and job assigning means (# 510, 500 of fig. 5) for assigning an image output job (the print job for the client) to the selected printer. (Column 24 line 1-35)

Kageyama does not teach to use a single data processing apparatus to carry out the above process.

However, as previously discussed, Kageyama teaches that the invention is carried out by using a printer/spooler control server, a client, and a distributed printing management server. Kageyama also teaches that all servers and clients are using the same type of computer, (See column 14 line 50-60) and that a function of a computer can be installed into another computer. (See column 23 line 23-29) Kageyama further teaches to use a network (see fig. 3) to connect a plurality of computers for printing print jobs for the connected computers.

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to implement the function of the printer/spooler control server, the client, and the distributed printing management server of Kageyama into one data processing apparatus; and a network to connect the plurality of these apparatuses, as suggested by Kageyama's concept that the function of one computer can be installed into another. The motivation of doing so would have been reasoned by one of ordinary skill in the art because by using one computer instead of three to perform the same task would reduce working space, and thereby, reduce operation cost for not having to provide a bigger working space.

Regarding claim 3: Kageyama teaches that the image output apparatus is selected based on a state of the image output apparatus (see print speed (second selection condition) of

column 24 line 20-35) assigned to each of the image output apparatus, in addition to the content of the image job and the first selection condition data.

Regarding claim 4: Kageyama teaches that the selection means include a confirm means (see # 510 of fig. 5) for confirming function of each of the plurality of selectable printers and selects a printer having function to perform (see the printer having a double side printing function of column 16 line 55-60) output operation in accordance with the content of the image output job (see column 25 line 3-5) and the first selection condition data. (double side printing, column 16 line 55-65)

Regarding claim 5: Kageyama teaches that the confirm means confirm the function of each of the plurality of printers by referring to a printer configuration management table (memory storing)(see column 24 line 5-25), in advance data indicative of the function of each of the plurality of printers.

Regarding claim 6: Kageyama teaches that the confirm means confirm the function of each of the plurality of printers by communicating with each of the plurality of printers (see column 23 line 55-60 and fig. 1)

Regarding claim 7: Kageyama teaches to select a printer according to the speed of a printer, (See column 24 line 25-35) in the case where the content of the image output job (column 5 line 2-5) designates to select a printer which completes execution of the image output job in a short time period; the selection means selects a printer which can perform printing (output operation) in accordance with the content of the image output job (see column

25 line 3-5) and the first selection condition data, based on a state of the image output job (amount of job outputted to each printer, column 24 line 30-35) assigned to each of the image output apparatus (printers) (see column 24 line 31-35) and the content of the image output job.

Regarding claim 8: Kageyama teaches that the data processing apparatus further comprising display means (column 15 line 1) for displaying a message regarding an execution state of the image output job assigned to each of the plurality of printers. (See column 30 line 1-11, column 36 line 54-64)

Regarding claim 9: Kageyama teaches to select a printer with color image output function, (See color of fig. 15) in the case the content of the image output job (column 25 line 2-5) designates to select an image output apparatus having color image output function to perform color image output; the selection means confirms the function of each of the plurality of selectable printers and selects a printer which can perform output operation in accordance with the content of the image output job (see column 25 line 3-5) and the first selection condition data. (Color of fig. 15 and column 16 line 59-65)

Regarding claim 10: Kageyama teaches to select a printer with both side printing function, (See double side printing of fig. 10(b)) in the case the content of the image output job (column 25 line 2-5) designates to select a printer having both-side printing function to perform both-side printing; the selection means confirms the function of each of the plurality of selectable printers and selects a printer serving as an image output apparatus which can perform output

operation in accordance with the content of the image output job (see column 25 line 3-5) and the first selection condition data. (Double side printing of fig. 15 and column 16 line 59-65)

Regarding claim 11: Kageyama teaches that in the case where a size of an output image is designated by the content of the image output job, (see zoom-in/out ratio of fig. 15, column 25 line 2-5), the selection means confirms the function of each of the plurality of selectable printers and select a printer that can perform the printing (output) operation in accordance with the content of the image output job (see column 25 line 3-5) and the first selection condition data. (See column 16 line 54-65, column 24 line 1-25)

Regarding claim 12: Kageyama teaches that in the case where there are plural printers which can perform printing operation in accordance with the content of the image output job, (see column 25 line 3-5); the selection means selects one of the plural printers based on a priority set in advance. (See column 16 line 54-65, column 24 line 1-35, column 40 line 47, # 72-1 of fig. 25)

Regarding claim 13: Kageyama teaches that in case where there are plural printers which can perform printing operation in accordance with the content of the image output job (see column 25 line 3-5) and the first selection condition data; the selection means allows an operator to select one of the plural image output apparatuses. (Base on an instruction inputted by an operator through a keyboard)(See #522, 521 of fig. 5 column 16 line 54-65)

Regarding claim 14: Kageyama teaches that in a case where the content of the image output job (see column 25 line 3-5) and the first selection condition data includes plural output

forms, (see column 24 line 42-49), the selection means selects a printer which can print in all the output form. (See column 16 line 54-65)

Regarding claim 15: Kageyama discloses a data processing apparatus (fig. 5, column 14 line 51-58) having connection means (see the connection from 15 to 17, 18 of fig. 1) for being connected to a plurality of printers (image output apparatus)(# 17, 18 of fig. 1)

Regarding claims 16, 18-29: Claims 16-29 is claiming method steps performed by the apparatus claimed in claims 1, 3-14. Please see discussion on claims 1, 3-14.

Regarding claims 30, 31:Kageyama discloses a client computer, a printer/spooler control server, and distributed printing manager server (fig. 5, column 14 line 51-58, data processing apparatus) having connection means (see the connection from 15 to 17, 18, and network 10 of fig. 1) for being connected to a plurality of printers (image output apparatus)(# 17, 18 of fig. 1), comprising: producing means (11 of fig. 4) for producing an image output job (7150, fig. 13); designating means (500 of fig. 5) for designating a received first selection condition data inputted by a user; (see logical print specification of column 16 line 54-65); selection means (521, 510, 500 and 522 of fig. 5) for selecting a connected selectable image output apparatus, (see adequate printer of column 16 line 54-65), which performs print output operation (print job) in accordance with a content of the image output job (see logical specification, column 25 line 1-5) and the selection condition data, from the plurality printers connected by the connection mean. (see column 16 line 61-64).

Kageyama does not teach to use a single data processing apparatus to carry out the above process.

However, as previously discussed, Kageyama teaches that the invention is carried out by using a printer/spooler control server, a client, and a distributed printing management server. Kageyama also teaches that all servers and clients are using the same type of computer, (See column 14 line 50-60) and that a function of a computer can be installed into another computer. (See column 23 line 23-29) Kageyama further teaches to use a network (see fig. 3) to connect a plurality of computers for printing print jobs for the connected computers.

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to implement the function of the printer/spooler control server, the client, and the distributed printing management server of Kageyama into one data processing apparatus; and a network to connect the plurality of these apparatuses, as suggested by Kageyama's concept that the function of one computer can be installed into another. The motivation of doing so would have been reasoned by one of ordinary skill in the art because by using one computer instead of three to perform the same task would reduce working space, and thereby, reduce operation cost for not having to provide a bigger working space.

Regarding claims 32, 33: Kageyama discloses a ROM (# 510 of fig. 5) (a memory storing a program code) for controlling the computer (fig. 5, column 14 line 51-58) discussed in claim 1.

Regarding claims 34, 35: Kageyama discloses a ROM (# 510 of fig. 5) (a memory storing a program code) for controlling a data processing apparatus (fig. 5, column 14 line 51-58)

discussed in claim 30.

3. REMARKS

With respect to applicant's argument on page 16-20 that Kageyama does not teach a designating means for designating a received first selection condition data inputted by a user; selection means for selecting a connected selectable image output apparatus, which performs print output operation in accordance with a content of the image output job and the selection condition data, has been considered.

In reply, Kageyama teaches designating means (500 of fig. 5) for designating a received first selection condition data inputted by a user; (see logical print specification of column 16 line 54-65); selection means (521, 510, 500 and 522 of fig. 5) for selecting a connected selectable image output apparatus, (see adequate printer of column 16 line 54-65), which performs print output operation (print job) in accordance with a content of the image output job (see logical specification, column 25 line 1-5) and the selection condition data.

With respect to applicant's argument on page 16 that Kageyama does not teach to select a printer based on the content of the image output job, has been considered.

In reply, column 16 line 1-35 of Kageyama clearly shows that the selection of a printer is based on a logical specification inputted by a user, and in column 25 line 3-5 of Kageyama clearly teaches that the logical specification is a content of an image output job inputted by a user.

Action is Final, Necessitated by Amendment

4. Applicant's amendment necessitated the new ground of rejection presented in this office action. Therefore, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTHS shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

October 11, 2000

DAVID K. MOORE
SUPERVISORY PATENT EXAMINER
GROUP 2700